



Montana Legislative History

Chapter: 315 Session L: 2017

Bill Number: SB 292

Checklist of Bill History

History and Final Status Sheet	x
Introduced Bill	X
Fiscal Note	n/a
Third Reading Bill	X
Final Version of Bill	X

House

Committee:

Business and
Labor

Hearing Date(s):
[March 15, 2017](#)

Senate

Committee: Business, Labor and Economic
Affairs

Hearing Date(s):
[February 21, 2017](#)

Conference Committee

N/A

Compiler Notes

Compiled by: sg

Date: 7/1/24

Notes:

Bill Draft Number: LC1853

Bill Type - Number: SB 292

Short Title: Revise credit reporting laws for air ambulance debt from balance billing

Primary Sponsor: Tom Facey (D) SD 50

Chapter Number: 315

Bill Actions - Current Bill Progress: Became Law

Bill Action Count: 52

Action - Most Recent First	Date	Votes Yes	Votes No	Committee
Chapter Number Assigned	05/05/2017			
(S) Signed by Governor	05/04/2017			
(S) Transmitted to Governor	05/01/2017			
(H) Signed by Speaker	04/27/2017			
(S) Signed by President	04/12/2017			
(S) Returned from Enrolling	04/10/2017			
(C) Printed - Enrolled Version Available	04/10/2017			
(S) Sent to Enrolling	04/08/2017			
(S) 3rd Reading Passed as Amended by House	04/08/2017	46	0	
(S) Scheduled for 3rd Reading	04/08/2017			
(S) 2nd Reading House Amendments Concurred	04/07/2017	49	0	
(S) Scheduled for 2nd Reading	04/07/2017			
(H) Returned to Senate with Amendments	04/05/2017			
(H) 3rd Reading Concurred	04/05/2017	82	18	
(H) Scheduled for 3rd Reading	04/05/2017			
(H) 2nd Reading Concurred	04/04/2017	84	16	
(H) Scheduled for 2nd Reading	04/04/2017			
(C) Printed - New Version Available	03/16/2017			
(H) Committee Report--Bill Concurred as Amended	03/16/2017			(H) Business and Labor
(H) Committee Executive Action--Bill Concurred as Amended	03/15/2017	18	1	(H) Business and Labor
(H) Hearing	03/15/2017			(H) Business and Labor
(H) First Reading	02/25/2017			
(H) Referred to Committee	02/25/2017			(H) Business and Labor
(S) Transmitted to House	02/24/2017			
(S) 3rd Reading Passed	02/24/2017	48	2	
(S) Scheduled for 3rd Reading	02/24/2017			
(S) 2nd Reading Passed	02/23/2017	49	1	
(S) Scheduled for 2nd Reading	02/23/2017			
(C) Printed - New Version Available	02/21/2017			

(C) Sponsors Engrossed	02/21/2017		
(S) Committee Report--Bill Passed	02/21/2017		(S) Business, Labor, and Economic Affairs
(S) Committee Executive Action--Bill Passed	02/21/2017	10	0 (S) Business, Labor, and Economic Affairs
(S) Hearing	02/21/2017		(S) Business, Labor, and Economic Affairs
(C) Introduced Bill Text Available Electronically	02/16/2017		
(S) Referred to Committee	02/16/2017		(S) Business, Labor, and Economic Affairs
(S) First Reading	02/16/2017		
(S) Introduced	02/16/2017		
(C) Draft Delivered to Requester	02/15/2017		
(C) Draft Ready for Delivery	02/15/2017		
(C) Executive Director Final Review	02/15/2017		
(C) Draft in Assembly	02/15/2017		
(C) Executive Director Review	02/15/2017		
(C) Bill Draft Text Available Electronically	02/15/2017		
(C) Draft in Final Drafter Review	02/15/2017		
(C) Draft in Input/Proofing	02/14/2017		
(C) Draft to Drafter - Edit Review [SMH]	02/14/2017		
(C) Draft in Edit	02/13/2017		
(C) Draft in Legal Review	02/13/2017		
(C) Draft to Requester for Review	02/10/2017		
(C) Draft Taken Off Hold	02/02/2017		
(C) Draft On Hold	12/19/2016		
(C) Draft Request Received	12/05/2016		

Sponsor, etc.

Sponsor, etc.	Last Name/Organization	First Name	Mi
Requester	Facey	Tom	
Drafter	Murdo	Pat	
Primary Sponsor	Facey	Tom	

Subjects

Description	Revenue/Approp.	Vote Majority Req.	Subject Code
Consumer Protection		Simple	CONS
Emergency and Disaster Services		Simple	EMER
Health (see also: Health Care Services; Safety)		Simple	HLTH

Additional Bill Information

Fiscal Note Probable: No

Preintroduction Required: N

Session Law Ch. Number: 315

DEADLINE

Category: General Bills

Transmittal Date: 03/01/2017

Return (with 2nd house amendments) Date: 04/06/2017

Section Effective Dates

Section(s)	Effective Date	Date Qualified
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All Sections	04-MAY-17	
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Section 2. Coordination instruction. If both House Bill No. 73 and [this act] are passed and approved, then the reference in [this act] to 50-6-320 must be changed to "[sections 1 through 9 as provided in House Bill No. 73]".

Section 3. Effective date. [This act] is effective on passage and approval.

Approved May 4, 2017

CHAPTER NO. 315

[SB 292]

AN ACT REVISING DEBT REPORTING LAWS RELATED TO AMBULANCE BILLS; PROHIBITING REPORTS TO CONSUMER REPORTING AGENCIES OF UNTIMELY PAYMENTS ON BALANCE BILLS UNDER CERTAIN CIRCUMSTANCES; PROVIDING DEFINITIONS; PROVIDING A NOTIFICATION REQUIREMENT; AMENDING SECTION 50-6-306, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE.

WHEREAS, individuals in a medical crisis that requires ambulance services may be faced with unexpectedly high bills with the potential to propel them into bankruptcy even after their insurance, if they have any, has paid on the ambulance bills; and

WHEREAS, individuals are responsible for paying ambulance bills with vendors they have selected themselves but often individuals in highly critical medical emergencies are unable to make the decisions on who is providing their ambulance service yet they still are expected to pay a bill over which they had no control.

Be it enacted by the Legislature of the State of Montana:

Section 1. Balance billing information – notification to ambulance companies – definitions. (1) (a) Subject to one of the conditions under subsection (1)(b), an ambulance service licensed in this state may not submit to a consumer reporting agency information intended to affect a patient's credit report because the patient has not made full payment of a bill for ambulance services.

(b) The prohibition under subsection (1)(a) is effective if:

(i) the patient's insurer or health plan has paid for the ambulance services based on the in-network or out-of-network charges outlined in the patient's insurance plan; or

(ii) an uninsured patient has paid toward the bill and filed with the attorney general's office a complaint regarding the bill as being an unfair trade practice because the bill is not based on usual and customary charges in the state.

(2) An ambulance service that transfers a bill to a collection agency shall state that the collection agency may not report as delinquent to a consumer reporting agency a bill covered by subsection (1).

(3) For the purposes of this section, the following definitions apply:

(a) "Ambulance service" means a person licensed under 50-6-306 who provides ground or air ambulance transport.

(b) "Consumer reporting agency" has the meaning provided in 30-14-1726.

(c) "Credit report" has the meaning provided in 30-14-1726.

(d) "Health plan" means the group insurance program authorized by Title 2, chapter 18, part 7, state employee group insurance program established in Title 2, chapter 18, part 8, or the Montana university system group benefits plans established in Title 20, chapter 25, part 13.

(e) "Insurance plan" has the meaning of "health insurance coverage" under 33-22-140.

(f) "Insurer" has the meaning of a health insurance issuer as provided in 33-22-140.

Section 2. Section 50-6-306, MCA, is amended to read:

"50-6-306. License required. (1) A person may not conduct or operate an emergency medical service without first obtaining a license from the department. A separate license is required for each type and level of service.

(2) Applications for a license must be made in writing to the department on forms specified by the department.

(3) Each license must be issued for a specific term not to exceed 2 years. Renewal may be obtained by paying the required license fee and demonstrating compliance with department rules.

(4) The license is not transferable.

(5) *The department shall notify an ambulance service at the time of licensing or licensing renewal of the reporting limitation of [section 1].*"

Section 3. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 30, chapter 14, part 1, and the provisions of Title 30, chapter 14, part 1, apply to [section 1].

Section 4. Effective date. [This act] is effective on passage and approval.

Section 5. Retroactive applicability. [This act] applies retroactively, within the meaning of 1-2-109, to reports as of [the effective date of this act] of ambulance bills incurred for services provided in the state prior to [the effective date of this act] and paid in part to the extent of an insurance policy or for which a record exists of a complaint made to the insurance commissioner's office prior to [the effective date of this act].

Approved May 4, 2017

CHAPTER NO. 316

[SB 299]

AN ACT REQUIRING PUBLIC DISCLOSURE OF FRACTURING FLUID INFORMATION IN OIL AND GAS OPERATIONS; ESTABLISHING INFORMATION TO BE DISCLOSED; ALLOWING AN OWNER, OPERATOR, OR SERVICE COMPANY TO REQUEST INFORMATION BE WITHHELD; DIRECTING THE ADMINISTRATOR OF THE BOARD OF OIL AND GAS CONSERVATION TO DETERMINE IF INFORMATION MAY BE WITHHELD; ESTABLISHING REQUIREMENTS TO REQUEST INFORMATION BE WITHHELD; ESTABLISHING A FEE; REQUIRING THE BOARD OF OIL AND GAS CONSERVATION TO AMEND ARM 36.22.608, 36.22.1015, AND 36.22.1016 RELATED TO DISCLOSURE OF FRACTURING FLUIDS; AND AMENDING SECTION 82-11-117, MCA.

WHEREAS, Board of Oil and Gas Conservation rules related to the disclosure of fracturing fluids are made redundant by passage of this bill; and

WHEREAS, ARM 36.22.608 contradicts the provisions of this bill because a description of the requirements for a proposed well stimulation do not conform to the requirements which would be reflected in law; and

WHEREAS, ARM 36.22.1015 contradicts the provisions of this bill because disclosure of well stimulation fluids do not conform to the requirements which would be reflected in law; and

SENATE BILL NO. 292

INTRODUCED BY T. FACEY

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING DEBT REPORTING LAWS RELATED TO AMBULANCE BILLS; PROHIBITING REPORTS TO CONSUMER REPORTING AGENCIES OF UNTIMELY PAYMENTS ON BALANCE BILLS UNDER CERTAIN CIRCUMSTANCES; PROVIDING DEFINITIONS; PROVIDING A NOTIFICATION REQUIREMENT; AMENDING SECTION 50-6-306, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

WHEREAS, individuals in a medical crisis that requires ambulance services may be faced with unexpectedly high bills with the potential to propel them into bankruptcy even after their insurance, if they have any, has paid on the ambulance bills; and

WHEREAS, individuals are responsible for paying ambulance bills with vendors they have selected themselves but often individuals in highly critical medical emergencies are unable to make the decisions on who is providing their ambulance service yet they still are expected to pay a bill over which they had no control.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Balance billing information -- notification to ambulance companies -- definitions. (1) (a) Subject to one of the conditions under subsection (1)(b), an ambulance service licensed in this state may not submit to a consumer reporting agency information intended to affect a patient's credit report because the patient has not made full payment of a bill for ambulance services.

(b) The prohibition under subsection (1)(a) is effective if:

(i) the patient's insurer has paid for the ambulance services based on the in-network or out-of-network charges outlined in the patient's insurance plan; or

(ii) an uninsured patient has paid toward the bill and filed with the attorney general's office a complaint regarding the bill as being an unfair trade practice because the bill is not based on usual and customary charges in the state.

(2) An ambulance service that transfers a bill to a collection agency shall state that the collection agency may not report as delinquent to a consumer reporting agency a bill covered by subsection (1).

(3) For the purposes of this section, the following definitions apply:

(a) "Ambulance service" means a person licensed under 50-6-306 who provides ground or air ambulance transport.

(b) "Consumer reporting agency" has the meaning provided in 30-14-1726.

(c) "Credit report" has the meaning provided in 30-14-1726.

(d) "Insurance plan" has the meaning of "health insurance coverage" under 33-22-140.

(e) "Insurer" has the meaning of a health insurance issuer as provided in 33-22-140 and includes issuers of health insurance under Title 2 and Title 20.

Section 2. Section 50-6-306, MCA, is amended to read:

"50-6-306. License required. (1) A person may not conduct or operate an emergency medical service without first obtaining a license from the department. A separate license is required for each type and level of service.

(2) Applications for a license must be made in writing to the department on forms specified by the department.

(3) Each license must be issued for a specific term not to exceed 2 years. Renewal may be obtained by paying the required license fee and demonstrating compliance with department rules.

(4) The license is not transferable.

(5) The department shall notify an ambulance service at the time of licensing or licensing renewal of the reporting limitation of [section 1]."

NEW SECTION. **Section 3. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 30, chapter 14, part 1, and the provisions of Title 30, chapter 14, part 1, apply to [section 1].

NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

NEW SECTION. **Section 5. Retroactive applicability.** [This act] applies retroactively, within the meaning of 1-2-109, to reports as of [the effective date of this act] of ambulance bills incurred for services provided in the state prior to [the effective date of this act] and paid in part to the extent of an insurance policy or for which a record exists of a complaint made to the insurance commissioner's office prior to [the effective date

1 of this act].

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- END -

SENATE BILL NO. 292

INTRODUCED BY T. FACEY, R. LYNCH, V. RICCI, G. VANCE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING DEBT REPORTING LAWS RELATED TO AMBULANCE BILLS; PROHIBITING REPORTS TO CONSUMER REPORTING AGENCIES OF UNTIMELY PAYMENTS ON BALANCE BILLS UNDER CERTAIN CIRCUMSTANCES; PROVIDING DEFINITIONS; PROVIDING A NOTIFICATION REQUIREMENT; AMENDING SECTION 50-6-306, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

WHEREAS, individuals in a medical crisis that requires ambulance services may be faced with unexpectedly high bills with the potential to propel them into bankruptcy even after their insurance, if they have any, has paid on the ambulance bills; and

WHEREAS, individuals are responsible for paying ambulance bills with vendors they have selected themselves but often individuals in highly critical medical emergencies are unable to make the decisions on who is providing their ambulance service yet they still are expected to pay a bill over which they had no control.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Balance billing information -- notification to ambulance companies -- definitions. (1) (a) Subject to one of the conditions under subsection (1)(b), an ambulance service licensed in this state may not submit to a consumer reporting agency information intended to affect a patient's credit report because the patient has not made full payment of a bill for ambulance services.

(b) The prohibition under subsection (1)(a) is effective if:

(i) the patient's insurer has paid for the ambulance services based on the in-network or out-of-network charges outlined in the patient's insurance plan; or

(ii) an uninsured patient has paid toward the bill and filed with the attorney general's office a complaint regarding the bill as being an unfair trade practice because the bill is not based on usual and customary charges in the state.

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(3) For the purposes of this section, the following definitions apply:

(a) "Ambulance service" means a person licensed under 50-6-306 who provides ground or air ambulance transport.

(b) "Consumer reporting agency" has the meaning provided in 30-14-1726.

(c) "Credit report" has the meaning provided in 30-14-1726.

(d) "Insurance plan" has the meaning of "health insurance coverage" under 33-22-140.

(e) "Insurer" has the meaning of a health insurance issuer as provided in 33-22-140 and includes issuers of health insurance under Title 2 and Title 20.

Section 2. Section 50-6-306, MCA, is amended to read:

"50-6-306. License required. (1) A person may not conduct or operate an emergency medical service without first obtaining a license from the department. A separate license is required for each type and level of service.

(2) Applications for a license must be made in writing to the department on forms specified by the department.

(3) Each license must be issued for a specific term not to exceed 2 years. Renewal may be obtained by paying the required license fee and demonstrating compliance with department rules.

(4) The license is not transferable.

(5) The department shall notify an ambulance service at the time of licensing or licensing renewal of the reporting limitation of [section 1]."

NEW SECTION. **Section 3. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 30, chapter 14, part 1, and the provisions of Title 30, chapter 14, part 1, apply to [section 1].

NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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1 of this act].

2

- END -

SENATE BILL NO. 292

INTRODUCED BY T. FACEY, R. LYNCH, V. RICCI, G. VANCE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING DEBT REPORTING LAWS RELATED TO AMBULANCE BILLS; PROHIBITING REPORTS TO CONSUMER REPORTING AGENCIES OF UNTIMELY PAYMENTS ON BALANCE BILLS UNDER CERTAIN CIRCUMSTANCES; PROVIDING DEFINITIONS; PROVIDING A NOTIFICATION REQUIREMENT; AMENDING SECTION 50-6-306, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

WHEREAS, individuals in a medical crisis that requires ambulance services may be faced with unexpectedly high bills with the potential to propel them into bankruptcy even after their insurance, if they have any, has paid on the ambulance bills; and

WHEREAS, individuals are responsible for paying ambulance bills with vendors they have selected themselves but often individuals in highly critical medical emergencies are unable to make the decisions on who is providing their ambulance service yet they still are expected to pay a bill over which they had no control.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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(b) The prohibition under subsection (1)(a) is effective if:

(i) the patient's insurer OR HEALTH PLAN has paid for the ambulance services based on the in-network or out-of-network charges outlined in the patient's insurance plan; or

(ii) an uninsured patient has paid toward the bill and filed with the attorney general's office a complaint regarding the bill as being an unfair trade practice because the bill is not based on usual and customary charges in the state.

(2) An ambulance service that transfers a bill to a collection agency shall state that the collection agency may not report as delinquent to a consumer reporting agency a bill covered by subsection (1).

(3) For the purposes of this section, the following definitions apply:

(a) "Ambulance service" means a person licensed under 50-6-306 who provides ground or air ambulance transport.

(b) "Consumer reporting agency" has the meaning provided in 30-14-1726.

(c) "Credit report" has the meaning provided in 30-14-1726.

(d) "HEALTH PLAN" MEANS THE GROUP INSURANCE PROGRAM AUTHORIZED BY TITLE 2, CHAPTER 18, PART 7, STATE EMPLOYEE GROUP INSURANCE PROGRAM ESTABLISHED IN TITLE 2, CHAPTER 18, PART 8, OR THE MONTANA UNIVERSITY SYSTEM GROUP BENEFITS PLANS ESTABLISHED IN TITLE 20, CHAPTER 25, PART 13.

~~(d)~~(E) "Insurance plan" has the meaning of "health insurance coverage" under 33-22-140.

~~(e)~~(F) "Insurer" has the meaning of a health insurance issuer as provided in 33-22-140 ~~and includes issuers of health insurance under Title 2 and Title 20.~~

Section 2. Section 50-6-306, MCA, is amended to read:

"50-6-306. License required. (1) A person may not conduct or operate an emergency medical service without first obtaining a license from the department. A separate license is required for each type and level of service.

(2) Applications for a license must be made in writing to the department on forms specified by the department.

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(5) The department shall notify an ambulance service at the time of licensing or licensing renewal of the reporting limitation of [section 1]."

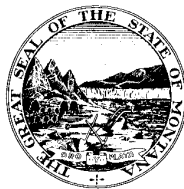
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1 meaning of 1-2-109, to reports as of [the effective date of this act] of ambulance bills incurred for services
2 provided in the state prior to [the effective date of this act] and paid in part to the extent of an insurance policy
3 or for which a record exists of a complaint made to the insurance commissioner's office prior to [the effective date
4 of this act].

5 - END -



AN ACT REVISING DEBT REPORTING LAWS RELATED TO AMBULANCE BILLS; PROHIBITING REPORTS TO CONSUMER REPORTING AGENCIES OF UNTIMELY PAYMENTS ON BALANCE BILLS UNDER CERTAIN CIRCUMSTANCES; PROVIDING DEFINITIONS; PROVIDING A NOTIFICATION REQUIREMENT; AMENDING SECTION 50-6-306, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE.

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(b) The prohibition under subsection (1)(a) is effective if:

(i) the patient's insurer or health plan has paid for the ambulance services based on the in-network or out-of-network charges outlined in the patient's insurance plan; or

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may not report as delinquent to a consumer reporting agency a bill covered by subsection (1).

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"50-6-306. License required. (1) A person may not conduct or operate an emergency medical service without first obtaining a license from the department. A separate license is required for each type and level of service.

(2) Applications for a license must be made in writing to the department on forms specified by the department.

(3) Each license must be issued for a specific term not to exceed 2 years. Renewal may be obtained by paying the required license fee and demonstrating compliance with department rules.

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Section 4. Effective date. [This act] is effective on passage and approval.

Section 5. Retroactive applicability. [This act] applies retroactively, within the meaning of 1-2-109, to reports as of [the effective date of this act] of ambulance bills incurred for services provided in the state prior to [the effective date of this act] and paid in part to the extent of an insurance policy or for which a record exists of a complaint made to the insurance commissioner's office prior to [the effective date of this act].

- END -

I hereby certify that the within bill,
SB 0292, originated in the Senate.

President of the Senate

Signed this _____ day
of _____, 2017.

Secretary of the Senate

Speaker of the House

Signed this _____ day
of _____, 2017.

SENATE BILL NO. 292

INTRODUCED BY T. FACEY, R. LYNCH, V. RICCI, G. VANCE

AN ACT REVISING DEBT REPORTING LAWS RELATED TO AMBULANCE BILLS; PROHIBITING REPORTS TO CONSUMER REPORTING AGENCIES OF UNTIMELY PAYMENTS ON BALANCE BILLS UNDER CERTAIN CIRCUMSTANCES; PROVIDING DEFINITIONS; PROVIDING A NOTIFICATION REQUIREMENT; AMENDING SECTION 50-6-306, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE.

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Edward Buttrey, on February 21, 2017 at 8:00 AM, in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Edward Buttrey, Chair (R)
Sen. Dee Brown, Vice Chair (R)
Sen. Pat Connell (R)
Sen. Tom Facey (D)
Sen. Steve Fitzpatrick (R)
Sen. Daniel R. Salomon (R)
Sen. Jason D. Small (R)
Sen. Frank Smith (D)
Sen. Gordon Vance (R)
Sen. Gene Vuckovich (D)

Members Excused: None

Members Absent: None

Staff Present: Nadine Spencer, Committee Secretary
Jameson Walker, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 264, 2/17/2017; SB 291, 2/17/2017; SB 292, 2/17/2017; SR 7, 2/17/2017

Executive Action: SB 264 - Do Pass As Amended
SB 291 - Do Pass
SB 292 - Do Pass
SB 222 - Do Pass As Amended
SB 243 - Do Pass
SB 294 - Do Pass As Amended
SR 7 - Be Adopted As Amended

HEARING ON SB 264

Opening Statement by Sponsor:

00:01:00 Sen. Nels Swandal (R), SD 30, opened the hearing on SB 264, Revising rulemaking for reporting to Board of Outfitters.

Proponents' Testimony:

00:02:17 Jean Johnson, Montana Outfitters and Guides Association (MOGA)

[EXHIBIT\(bus38a01\)](#)

00:03:13 Tyler Moss, attorney, representing MOGA

[EXHIBIT\(bus38a02\)](#)

00:08:49 Mac Minard, executive director, MOGA

[EXHIBIT\(bus38a03\)](#)

00:12:19 Brett Todd, representing himself

[EXHIBIT\(bus38a04\)](#)

Opponents' Testimony:

00:14:06 John Way, hunting and fishing outfitter, Ennis; vice chairman, Montana Board of Outfitters, Department of Labor and Industry, speaking for himself

00:18:35 Robin Cunningham, member, Montana Board of Outfitters, speaking for himself

[EXHIBIT\(bus38a05\)](#)

00:21:27 Joe Perry, retired dryland farmer, Conrad; representing Montana Sportsmen Alliance

00:28:33 Ken McDonald, Wildlife Division administrator, Montana Fish, Wildlife and Parks (FWP)

[EXHIBIT\(bus38a06\)](#)

00:34:49 Nick Gevock, conservation director, Montana Wildlife Federation

00:38:19 Sam Milodragovich, member of several sportsmen groups, Butte

[EXHIBIT\(bus38a07\)](#)

00:41:48 Harold Johns, Skyline Sportsman Association

Informational Testimony: None

Questions from Committee Members and Responses:

00:43:40 Sen. Brown

00:44:08 Mr. Way, self

00:44:55 Sen. Brown

00:45:16 Mr. Way

00:45:46 Sen. Brown

SENATE COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

February 21, 2017

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00:46:04	Mr. Way
00:46:16	Sen. Brown
00:46:30	Mr. Way
00:46:56	Sen. Brown
00:47:38	Mr. McDonald, FWP
00:47:54	Sen. Connell
00:48:36	Mr. McDonald
00:49:03	Sen. Connell
00:49:17	Mr. Minard, MOGA
00:50:28	Sen. Connell
00:50:42	Mr. Minard
00:51:03	Sen. Connell
00:51:25	Mr. McDonald
00:51:36	Sen. Connell
00:51:43	Mr. McDonald
00:51:51	Sen. Connell
00:52:09	Chair Buttrey
00:52:17	Sen. Connell
00:53:08	Chair Buttrey
00:53:12	Sen. Connell
00:53:42	Mr. McDonald
00:53:52	Sen. Connell
00:54:44	Mr. McDonald
00:54:53	Sen. Connell
00:55:25	Mr. McDonald
00:55:38	Sen. Fitzpatrick
00:55:54	Mr. McDonald
00:57:05	Sen. Fitzpatrick
00:57:18	Mr. McDonald
00:58:13	Sen. Fitzpatrick
00:58:19	Mr. McDonald
00:58:52	Sen. Saloman
00:59:12	Mr. Minard
00:59:21	Mr. Moss, MOGA
01:00:31	Sen. Brown
01:01:03	Mr. McDonald
01:01:10	Sen. Brown
01:01:36	Mr. McDonald
01:01:48	Sen. Brown
01:01:52	Mr. McDonald
01:02:17	Sen. Vuckovich
01:02:43	Mr. Minard
01:03:22	Sen. Vuckovich
01:03:47	Mr. Moss
01:04:54	Sen. Vuckovich
01:04:59	Chair Buttrey
01:05:09	Sen. Fitzpatrick
01:05:45	Mr. Moss
01:06:00	Sen. Fitzpatrick
01:06:46	Mr. McDonald

01:08:38 Chair Buttrey
01:08:47 Mr. McDonald
01:08:53 Sen. Facey
01:10:10 Mr. Minard
01:11:23 Sen. Facey
01:11:50 Mr. Minard
01:12:35 Sen. Facey
01:12:48 Mr. Minard
01:13:17 Sen. Facey
01:13:31 Mr. Minard
01:13:54 Sen. Facey
01:14:00 Mr. Minard
01:14:42 Sen. Facey
01:15:12 Mr. Minard
01:16:36 Sen. Connell
01:16:57 Mr. McDonald
01:17:22 Sen. Connell
01:17:33 Mr. Cunningham, self
01:18:32 Sen. Facey
01:18:55 Mr. Cunningham
01:21:38 Sen. Facey
01:22:47 Mr. Minard

Closing by Sponsor:

01:24:13 Sen. Swandal

HEARING ON SB 291

Opening Statement by Sponsor:

01:26:20 Sen. Tom Facey (D), SD 50, opened the hearing on SB 291, Revise lien filings for certain ambulance bills.

Proponents' Testimony:

01:30:32 Jennifer Hensley, Pacific Source Health Plans
01:32:26 Al Smith, Montana Trial Lawyers Association

Opponents' Testimony:

01:35:08 Eric Bryson, Montana Association of Counties

Informational Testimony:

01:36:33 Bruce Spencer, attorney, Helena

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:38:25 Sen. Facey

HEARING ON SB 292

Opening Statement by Sponsor:

01:39:28 Sen. Tom Facey (D), SD 50, opened the hearing on SB 292, Revise credit reporting laws for air ambulance debt from balance billing.

Proponents' Testimony:

01:40:41 Eric Bryson, Montana Association of Counties
01:41:10 Jennifer Hensley, Pacific Source Health Plans
01:41:39 Al Smith, Montana Trial Lawyers Association
01:42:30 Alan Hulse, Montana Municipal Interlocal Authority
01:43:05 Bob Gilbert, Montana Aviation Trades Association
01:44:33 Chair Buttrey

Opponents' Testimony: None

Informational Testimony:

01:44:52 Bruce Spencer, attorney, Helena

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:46:10 Sen. Facey

Vice Chair Brown assumed the role as Chair.

HEARING ON SR 7

Opening Statement by Sponsor:

01:48:14 Sen. Edward Buttrey (R), SD 11, opened the hearing on SR 7, Confirm Governor's appointees to boards related to business.

[EXHIBIT\(bus38a08\)](#)

[EXHIBIT\(bus38a09\)](#)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:54:44 Chair Brown
01:55:08 Sen. Buttrey

Closing by Sponsor:

01:55:42 Sen. Buttrey

Sen. Buttrey resumed the role as chair.

01:56:26 Chair Buttrey
01:57:21 Sen. Connell
01:57:58 Chair Buttrey

01:59:45 Recess
02:15:58 Reconvene

EXECUTIVE ACTION ON SB 264

02:16:09 **Motion:** Sen. D. Brown moved that **SB 264 DO PASS.**

02:16:33 **Motion:** Sen. Salomon moved that **SB 264 BE AMENDED.**
[EXHIBIT\(bus38a10\)](#)

Discussion:

02:16:41 Sen. Salomon
02:16:51 Sen. Brown
02:17:14 Sen. Facey

02:17:22 **Vote:** Motion carried 9-0 by voice vote. Sen. Vance was excused.

02:17:41 **Motion:** Sen. D. Brown moved that **SB 264 DO PASS AS AMENDED.**

Discussion:

02:17:52 Sen. Facey
02:18:25 Chair Buttrey
02:18:44 Sen. Connell

02:19:52 **Vote:** Motion carried 7-3 by roll call vote with Sen. Facey, Sen. Salomon and Sen. Vuckovich voting no. Sen. Vance voted by proxy.

EXECUTIVE ACTION ON SB 291

02:20:26 **Motion:** Sen. D. Brown moved that **SB 291 DO PASS.**

Discussion:

02:20:38 Sen. Facey
02:21:09 Chair Buttrey

02:21:22 **Vote:** Motion carried unanimously by voice vote. Sen. Vance voted by proxy.

EXECUTIVE ACTION ON SB 292

02:21:34 **Motion:** Sen. D. Brown moved that **SB 292 DO PASS.**

Discussion:

02:21:56 Sen. Smith

02:22:26 **Vote:** Motion carried unanimously by voice vote. Sen. Vance voted by proxy.

EXECUTIVE ACTION ON SB 222

02:22:44 **Motion:** Sen. D. Brown moved that **SB 222 DO PASS.**

02:22:51 **Motion:** Sen. Fitzpatrick moved that **SB 222 BE AMENDED.**
EXHIBIT(bus38a11)

Discussion:

02:22:57 Sen. Fitzpatrick
02:23:29 Chair Buttrey
02:23:36 Sen. Fitzpatrick

02:23:42 **Vote:** Motion carried 9-0 by voice vote. Sen. Vance was excused.

02:23:54 **Motion/Vote:** Sen. D. Brown moved that **SB 222 DO PASS AS AMENDED.**
Motion carried unanimously by voice vote. Sen. Vance voted by proxy.

EXECUTIVE ACTION ON SB 243

02:24:31 **Motion:** Sen. D. Brown moved that **SB 243 DO PASS.**

Discussion:

02:24:41 Sen. Connell
02:25:23 Sen. Brown
02:25:58 Sen. Salomon
02:26:23 Chair Buttrey
02:26:44 Sen. Facey
02:27:18 Sen. Connell
02:27:24 Chair Buttrey
02:27:47 Sen. Connell

02:28:31 **Vote:** Motion carried 7-3 by roll call vote with Sen. Facey, Sen. Salomon and Sen. F. Smith voting no. Sen. Vance voted by proxy.

EXECUTIVE ACTION ON SB 294

02:29:05 **Motion:** Sen. D. Brown moved that **SB 294 DO PASS.**

Discussion:

02:29:20 Chair Buttrey
02:29:36 Sen. Fitzpatrick

02:30:04 **Motion:** Sen. Fitzpatrick moved that **SB 294 BE AMENDED.**
EXHIBIT(bus38a12)

Discussion:

02:30:13 Sen. Fitzpatrick

02:30:41 **Vote:** Motion carried 9-0 by voice vote. Sen. Vance was excused.

02:31:02 **Motion:** Sen. Fitzpatrick moved that **SB 294 BE AMENDED CONCEPTUALLY.**

02:31:36 Sen. Vance entered the hearing.

Discussion:

02:32:05 Chair Buttrey
02:32:26 Sen. Connell

02:32:32 **Vote:** Motion carried 9-0 by voice vote. Sen. Vance was excused.

02:32:45 **Motion:** Sen. D. Brown moved that **SB 294 DO PASS AS AMENDED.**

Discussion:

02:33:01 Sen. Facey
02:33:25 Sen. Fitzpatrick
02:33:39 Sen. Brown

02:34:12 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SR 7

02:34:27 **Motion:** Sen. D. Brown moved that **SR 7 BE ADOPTED.**

02:34:44 **Motion:** Sen. D. Brown moved that **SR 7 BE AMENDED.**
EXHIBIT(bus38a13)

Discussion:

02:34:55 Chair Buttrey

02:35:06 **Vote:** Motion carried unanimously by voice vote.

02:35:16 **Motion/Vote:** Sen. D. Brown moved that **SR 7 BE ADOPTED AS AMENDED.**
Motion carried unanimously by voice vote.

Committee Business:

02:35:49 Chair Buttrey

02:36:22 Sen. Connell

02:36:32 Chair Buttrey

02:36:38 Sen. Facey

02:36:48 Chair Buttrey

ADJOURNMENT

Adjournment: 10:37 AM

Nadine Spencer, Secretary

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Additional Documents:

EXHIBIT([bus38aad.pdf](#))

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Mark Noland, on March 15, 2017 at 8:30 A.M., in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Mark Noland, Chair (R)
Rep. Amanda Curtis, Vice Chair (D)
Rep. Vince Ricci, Vice Chair (R)
Rep. Fred Anderson (R)
Rep. Willis Curdy (D)
Rep. Ross H. Fitzgerald (R)
Rep. Moffie Funk (D)
Rep. Bruce Grubbs (R)
Rep. Steve Gunderson (R)
Rep. Denley M. Loge (R)
Rep. Adam Rosendale (R)
Rep. Sharon Stewart-Peregoy (D)
Rep. Jeremy Trebas (R)
Rep. Sue Vinton (R)

Members Excused: Rep. Andrea Olsen (D)
Rep. Gordon Pierson Jr (D)
Rep. Casey Schreiner (D)
Rep. Jonathan Windy Boy (D)
Rep. Daniel Zolnikov (R)

Members Absent: None

Staff Present: Karen Armstrong, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 292, 2/28/2017; SB 275, 2/28/2017; SB 222, 2/28/2017;
SB 289, 3/8/2017
Executive Action: SB 78, SB 216, SB 222, SB 291, SB 292, SB 302

HEARING ON SB 275

Opening Statement by Sponsor:

00:01:39 Sen. Edward Buttrey (R), SD 11, opened the hearing on SB 275, Revise construction industry in workers' compensation premium credit program.

Proponents' Testimony:

00:03:26 Nancy Butler, Office of the State Auditor (OSA)
00:03:52 Rep. Olsen joined the meeting.
00:06:18 Abigail St. Lawrence, Montana Building Industry Association (MBIA)
00:07:21 Ethan Heverly, Montana State Fund (MSF)

Opponents' Testimony: None

Informational Testimony:

00:07:54 Bruce Spencer, National Council on Compensation Insurers (NCCI)

Questions from Committee Members and Responses:

00:08:16 Rep. Gunderson
00:10:49 Nancy Butler, OSA

[EXHIBIT\(buh54a01\)](#)

00:10:59 Rep. Vinton
00:11:32 Ethan Heverly, MSF

Closing by Sponsor:

00:11:52 Sen. Buttrey

HEARING ON SB 222

Opening Statement by Sponsor:

00:12:55 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 222, Revise insurance laws relating to annuity surrender fees.

Proponents' Testimony:

00:16:18 Bill Warden, National Association of Insurers and Financial Advisors (NAIFA)
00:16:45 Kendall Cotton, Office of the State Auditor (OSA)
00:17:42 Bruce Spencer, All State Insurance Company

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:18:45 Rep. Ricci
00:20:04 Bill Warden, NAIFA
00:20:18 Rep. Olsen
00:20:53 Sen. Fitzpatrick
00:22:18 Rep. Trebas

00:22:27 Rep. Pierson joined the meeting.
 00:22:41 Bill Warden, NAIFA
 00:23:44 Rep. Gunderson
 00:24:26 Sen. Fitzpatrick
 00:25:55 Rep. Loge
 00:26:20 Sen. Fitzpatrick

Closing by Sponsor:

00:27:28 Sen. Fitzpatrick

HEARING ON SB 292

Opening Statement by Sponsor:

00:28:52 Sen. Tom Facey (D), SD 50, opened the hearing on SB 292, Revise credit reporting laws for air ambulance debt from balance billing.

Proponents' Testimony:

00:30:55 Harold Blattie, Montana Association of Counties (MACo)

Opponents' Testimony:

00:32:38 Scott Boulanger, Montana Air Ambulance Coalition

Informational Testimony:

00:33:54 Bruce Spencer, Attorney (Chair Noland declared Mr. Spencer to be a proponent.)

Questions from Committee Members and Responses:

00:35:52 Rep. Ricci
 00:36:31 Scott Boulanger, Montana Air Ambulance Coalition
 00:37:06 Rep. Gunderson
 00:38:21 Scott Boulanger, Montana Air Ambulance Coalition
 00:39:27 Rep. Gunderson
 00:39:39 Sen. Facey
 00:40:35 Rep. Trebas
 00:41:00 Sen. Facey
 00:41:06 Pat Murdo, Legislative Services Division (LSD)
 00:41:42 Rep. Curdy
 00:42:56 Scott Boulanger, Montana Air Ambulance Coalition
 00:43:09 Rep. Curdy
 00:43:44 Chair Noland
 00:43:59 Rep. Curdy
 00:44:04 Rep. Rosendale
 00:44:39 Scott Boulanger, Montana Air Ambulance Coalition

Closing by Sponsor:

00:45:24 Sen. Facey

HEARING ON SB 289**Opening Statement by Sponsor:**

00:47:38 Sen. Frederick (Eric) Moore (R), SD 19, opened the hearing on SB 289, Revise laws concerning title insurance policies.

Proponents' Testimony: None

Opponents' Testimony:

00:53:06 William Gowen, Montana Land Title Association (MLTA)

00:56:46 Rep. Grubbs joined the meeting.

00:57:53 Kelly Lynch, Montana League of Cities and Towns (MLCT)

Informational Testimony: None

Questions from Committee Members and Responses:

01:00:27 Rep. Vinton

01:01:12 Sen. Moore

01:01:56 Rep. Curdy

01:02:29 Sen. Moore

01:02:46 Rep. Olsen

01:04:02 Sen. Moore

01:05:14 Rep. Fitzgerald

01:06:13 Kelly Lynch, MLCT

Closing by Sponsor:

01:06:56 Sen. Moore

01:08:57 Chair Noland

01:09:10 Recessed

01:13:09 Reconvened

01:13:12 Chair Noland

01:14:46 Pat Murdo, LSD

01:15:54 Recessed

02:06:32 Reconvened with Rep. Windy Boy and Rep. Zolnikov excused.

EXECUTIVE ACTION ON SB 72

02:06:40 **Motion:** Rep. Ricci moved that **SB 72 BE CONCURRED IN.**

Discussion:

02:07:01 Rep. Curdy

02:08:48 Rep. Anderson

02:09:28 Rep. Pierson

02:10:25 Chair Noland

02:11:28 Rep. Gunderson
02:12:12 Rep. Schreiner
02:15:09 Rep. Stewart-Peregoy
02:15:57 Rep. Olsen
02:17:45 Chair Noland
02:20:08 Rep. Funk
02:21:47 Rep. Pierson
02:24:00 Rep. Curtis
02:27:24 Rep. Vinton

02:28:23 **Vote:** Motion failed 9-10 by roll call vote with Rep. Curdy, Rep. Curtis, Rep. Funk, Rep. Olsen, Rep. Pierson, Rep. Schreiner, Rep. Stewart-Peregoy, Rep. Vinton and Rep. Windy Boy voting aye. Rep. Windy Boy and Rep. Zolnikov voted by proxy.

02:29:31 Rep. Funk and Rep. Olsen left the meeting

02:30:05 **Motion/Vote:** Rep. Ricci moved that **SB 72 BE TABLED**. Motion carried 14-5 by roll call vote with Rep. Curdy, Rep. Curtis, Rep. Schreiner, Rep. Stewart-Peregoy and Rep. Windy Boy voting no. Rep. Funk, Rep. Olsen, Rep. Windy Boy and Rep. Zolnikov voted by proxy.

EXECUTIVE ACTION ON SB 216

02:31:42 **Motion:** Rep. Ricci moved that **SB 216 BE CONCURRED IN**.

Discussion:

02:32:04 Pat Murdo, Legislative Services Division (LSD)

02:34:27 **Motion:** Rep. Ricci moved that **SB 216 BE AMENDED**.
[**EXHIBIT\(buh54a02\)**](#)

02:34:41 Rep. Funk and Rep. Olsen joined the meeting.

Discussion:

02:34:53 Rep. Vinton
02:35:15 Rep. Olsen
02:36:51 Rep. Curtis
02:37:40 Rep. Vinton

02:38:09 **Vote:** Motion carried 15-4 by roll call vote with Rep. Noland, Rep. Ricci, Rep. Rosendale and Rep. Zolnikov voting no. Rep. Windy Boy and Rep. Zolnikov voted by proxy.

02:38:23 Rep. Schreiner left the meeting.

02:39:40 **Motion/Vote:** Rep. Ricci moved that **SB 216 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Rep. Schreiner, Rep. Windy Boy and Rep. Zolnikov voted by proxy. Rep. Ehli will carry the bill.

EXECUTIVE ACTION ON SB 291

02:41:21 **Motion:** Rep. Ricci moved that **SB 291 BE CONCURRED IN.**

02:41:35 **Motion/Vote:** Rep. Ricci moved that **SB 291 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Schreiner, Rep. Windy Boy and Rep. Zolnikov voted by proxy.

EXHIBIT(buh54a03)

02:42:25 **Motion/Vote:** Rep. Ricci moved that **SB 291 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Schreiner, Rep. Windy Boy and Rep. Zolnikov voted by proxy.

EXHIBIT(buh54a04)

02:43:38 **Motion/Vote:** Rep. Ricci moved that **SB 291 BE CONCURRED IN AS AMENDED.** Motion carried 18-1 by voice vote with Rep. Rosendale voting no. Rep. Schreiner, Rep. Windy Boy and Rep. Zolnikov voted by proxy. Rep. Ricci will carry the bill.

EXECUTIVE ACTION ON SB 292

02:44:33 **Motion:** Rep. Ricci moved that **SB 292 BE CONCURRED IN.**

02:44:50 **Motion:** Rep. Ricci moved that **SB 292 BE AMENDED.**

EXHIBIT(buh54a05)

Discussion:

02:45:11 Pat Murdo, LSD

02:47:02 **Vote:** Motion carried unanimously by voice vote. Rep. Schreiner, Rep. Windy Boy and Rep. Zolnikov voted by proxy.

02:47:26 **Motion/Vote:** Rep. Ricci moved that **SB 292 BE CONCURRED IN AS AMENDED.** Motion carried 18-1 by voice vote with Rep. Rosendale voting no. Rep. Schreiner, Rep. Windy Boy and Rep. Zolnikov voted by proxy. Rep. Ricci will carry the bill.

EXECUTIVE ACTION ON SB 222

02:48:17 **Motion/Vote:** Rep. Ricci moved that **SB 222 BE CONCURRED IN.** Motion carried unanimously by voice vote. Rep. Schreiner, Rep. Windy Boy and Rep. Zolnikov voted by proxy. Rep. Anderson will carry the bill.

EXECUTIVE ACTION ON SB 302

02:48:51 **Motion:** Rep. Ricci moved that **SB 302 BE CONCURRED IN.**

Discussion:

02:49:12 Rep. Vinton

02:49:52 **Vote:** Motion carried unanimously by voice vote. Rep. Schreiner,
Rep. Windy Boy and Rep. Zolnikov voted by proxy. Rep. Zolnikov will carry
the bill.

02:50:45 Chair Noland

ADJOURNMENT

Adjournment: 02:51:12

Karen Armstrong, Secretary

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Additional Documents:

EXHIBIT([buh54aad.pdf](#))